United Nations S/2014/96

# Security Council

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*The Security Council,*

*Recalling* its resolutions and the statements of its President on Burundi,

*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi,

*Welcoming* the continued progress that Burundi has made towards peace, stability and development and *emphasizing* the need for the United Nations system and the international community, including the international financial institutions and Burundi's development partners, to maintain their support for peace consolidation and long-term development in Burundi,

*Commending* the continued contribution of the United Nations Office in Burundi (BNUB) and the United Nations system to the country's peace, security and development,

*Welcoming* the organization in 2013 by BNUB and the United Nations system, in close coordination with the Government of Burundi, of several Electoral Lessons Learned workshops and the adoption of an electoral roadmap in March 2013, and *calling upon* the Government of Burundi and all political parties to fully implement this roadmap and its recommendations,

*Encouraging* further efforts from the Government of Burundi to ensure a space for all political parties, including from the extra-parliamentary opposition, and to continue improving dialogue between all relevant actors, including civil society, with a view to ensure a conducive, free and open environment for the run up to the 2015 elections,

*Reiterating* the need for inclusive and broad-based consultations in the spirit of the 2000 Arusha Agreement, and *welcoming* in this regard the inclusive and constructive consultations held on 19 and 20 December 2013 in Kigobe on issues related to the Constitutional review process,

*Expressing concern* for limitations on the freedom of press, of expression, of association and of assembly for opposition political parties, and for media and civil society organizations, especially in the run up to the 2015 elections,

*Noting* the efforts made by the Government of Burundi to improve the human rights situation in Burundi, and *remaining concerned by* continued human rights violations and abuses, in particular reported extrajudicial killings, mistreatment of detainees and torture, and restrictions on civil liberties, notably acts of intimidation,



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harassment and violence committed by youth groups, and *recalling* that there should be no impunity for those responsible for these violations and abuses,

*Underscoring* the importance of transitional justice mechanisms in promoting lasting reconciliation among all the people of Burundi, *taking note* that no significant progress has been made towards the establishment of a Truth and Reconciliation Commission since the draft law was submitted to Parliament in December 2012 as stated in the Secretary-General's report, and *recalling* in this context the commitment of the Government of Burundi to establishing transitional justice mechanisms consistent with the results of the 2009 national consultations, Security Council resolution 1606 (2005) as well as the Arusha agreement of 28 August 2000,

*Recalling* that Burundi is a State Party to the Rome Statute of the International Criminal Court since 2004, and has undertaken obligations to fight impunity for crimes falling within the jurisdiction of the Court, and emphasizing that the International Criminal Court is complementary to the national criminal jurisdictions,

*Stressing the importance* of land issues for a lasting peace and security in Burundi, *noting* the commitment of the Government to addressing this complex issue, and *encouraging* the Government of Burundi and the Commission Nationale des Terres et autres Biens (CNTB) to handle land grievances and disputes in a non-partisan manner and to also address land tenure in the broader context of socioeconomic development, bearing in mind the need to foster reconciliation and national cohesion, especially in the run up to the 2015 elections,

*Supporting* the renewed commitment of Burundi to "zero tolerance" for corruption,

*Welcoming* the continued engagement of the Burundi Configuration of the Peacebuilding Commission, *encouraging* the continued constructive cooperation between the Government of Burundi and the Peacebuilding Commission, and *acknowledging* the contribution that the Peacebuilding Fund has made to peacebuilding efforts in Burundi,

*Supporting* the continued commitment of Burundi to regional integration and cooperation with neighbours, notably through the Economic Community of Great Lakes Countries (CEPGL), the East African Community (EAC), and the International Conference on the Great Lakes Region (ICGLR),

*Recalling* its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013) on women and peace and security, its resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts and its resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012) on children and armed conflict,

*Having considered* the latest report of the Secretary-General on BNUB (S/2014/36) and, in particular, the conclusions of the Strategic Assessment Mission and the analysis it contains of progress and remaining challenges in relation to the benchmarks transmitted to the Security Council by the Secretary-General pursuant to resolutions 1959 (2010), 2027 (2011) and 2090 (2013),

*Having also considered* the request of the Government of Burundi, in particular the statement of its Minister of Foreign Affairs and International Cooperation to the Security Council on 28 January 2014 regarding the transition of

BNUB to a regular United Nations Country Team by 31 December 2014 and *further noting* its request for a United Nations electoral observer mission before, during and after the 2015 elections in Burundi,

1. *Extends* until 31 December 2014 the mandate of BNUB, requesting it, consistent with paragraphs 3 (a) to (d) of the resolution 1959 (2010) and 2 (a) and (b) of the resolution 2027 (2011), to focus on and support the Government of Burundi in the areas (a) to (e) of paragraph 1 of resolution 2090 (2013);

2. *Requests* the Secretary-General to prepare BNUB's transition and the transfer of appropriate responsibilities to the United Nations Country Team by 31 December 2014 and to provide an update on this process in his written interim report to the Security Council;

3. *Encourages* BNUB, the Government of Burundi, the Peacebuilding Commission and bilateral and multilateral partners to form a transition steering group to map the international community's support to Burundi, in particular the transfer of functions currently provided by BNUB which may be needed after the Mission's planned drawdown, and *requests* the Special Representative of the Secretary-General to finalize a transition plan by the 15 May 2014;

4. *Encourages* the Government of Burundi to engage in discussions on the nature, activities and scope of the United Nations role post-BNUB in coordination with BNUB, the United Nations Country Team, multilateral and bilateral partners, the Peacebuilding Commission, and other relevant stakeholders;

5. *Encourages* the United Nations Country Team and its component United Nations agencies to scale up their activities and programming during BNUB's transition and after the termination of its mandate and factor such activities into the United Nations Development Assistance Framework, and urges the Secretary-General to ensure there is a seamless transition to the Resident Coordinator and United Nations Country Team management model as BNUB departs;

6. *Takes note* of the request of the Government of Burundi for a United Nations electoral observer mission before, during and after the 2015 elections in Burundi *and requests* the Secretary-General to establish such a mission to follow and report on the electoral process in Burundi immediately at the end of BNUB's mandate, and *further requests* this mission to report to the Secretary-General and the Secretary-General to the Security Council before, during and after the 2015 elections;

7. *Encourages* the Government of Burundi to cooperate fully with the United Nations Country Team and with the United Nations electoral mission that is to be established;

8. *Recognizes* the primary responsibility of the Government of Burundi for peacebuilding, security, protection of its population and long-term development in the country, and *encourages* the Government of Burundi to continue its efforts regarding peace consolidation challenges, in particular democratic governance, the fight against corruption, security sector reform, civilian protection, justice and the promotion and protection of human rights, with a special focus on the rights of women and children as well as people belonging to ethnic minorities;

9. *Encourages* the Government of Burundi with the support of BNUB and other international partners to redouble its efforts to pursue structural reforms aimed

at improving political, economic and administrative governance and tackling corruption, with a view to setting up strong drivers for sustained and equitable social and economic growth;

10. *Further encourages* the Government of Burundi, with the support of BNUB and other international partners, and while recognizing Burundi's prerogatives to adapt its organic law, to ensure that any constitutional review is undertaken in a constructive atmosphere and in a broad-based and inclusive manner, with the participation of political parties and relevant stakeholders, according to the letter and the spirit of the Arusha agreement of 28 August 2000;

11. *Calls upon* the Government of Burundi to foster inclusive elections in 2015 by continuing to improve dialogue between all national actors, including civil society, and to guarantee a space for all political parties, including from the extra-parliamentary opposition, to exercise their freedom to organize and prepare themselves for the 2015 elections, and *further calls upon* the Government to ensure full and effective participation of women at all stages of the electoral process;

12. *Calls upon* the Government of Burundi to pursue its efforts to ensure the promotion and protection of human rights and, together with its international partners, to support and strengthen the capacities of the National Independent Human Rights Commission and the Office of the Ombudsman in accordance with General Assembly resolution A/RES/48/134 on national institutions for the promotion and protection of human rights, and *further calls upon* the Government to continue its fight against impunity and to take the necessary measures to ensure the full enjoyment of civil, political, social, economic and cultural rights as enshrined in the Constitution of Burundi and in accordance with its obligations under international law;

13. *Calls upon* the Government of Burundi to take further necessary steps to prevent human rights violations, in particular reported extrajudicial killings, mistreatment of detainees and torture, and restrictions on civil liberties, as well as acts of harassment, intimidation and violence committed by youth groups, limitations on the freedom of press, of expression, of association and of assembly of opposition political parties, media and civil society organizations, and to ensure that such human rights violations and restrictions of civil liberties are put to an end;

14. *Calls upon* the Government of Burundi to take measures to fight impunity and support thorough, credible, impartial and transparent investigations, including by reinforcing the protection of victims, of their relatives and of witnesses, and to intensify efforts to ensure that those responsible for human rights violations and abuses as well as restrictions on civil liberties are held accountable;

15. *Calls upon* the Government of Burundi to work with international partners and BNUB for the establishment of transitional justice mechanisms, including a credible and consensual Truth and Reconciliation Commission to help foster an effective reconciliation of all Burundians and durable peace in Burundi, in accordance with the results of the work of the Technical Committee, the 2009 national consultations, Security Council resolution 1606 (2005) as well as the Arusha agreement of 28 August 2000;

16. *Encourages* the Government of Burundi to pursue its efforts of peace consolidation and reconstruction in a regional perspective, especially through projects fostering peace, reconciliation and exchanges within the East African

Community, the Economic Community of the Great Lakes Countries and the International Conference on the Great Lakes Region;

17. *Further encourages* the Government of Burundi, with the support of international partners as appropriate, to ensure the voluntary, safe and orderly return and sustainable reintegration of refugees to Burundi;

18. *Underscores* the importance of security sector reform, *welcomes* Burundi's contribution and active participation to United Nations and African Union peacekeeping operations, and *urges* all international partners, together with BNUB, to continue supporting Burundi's efforts to professionalize and enhance the capacity of the national security services and the police, in particular through vetting for human rights violations, training on human rights and sexual and gender-based violence and promoting strong civilian oversight and monitoring, with the view to consolidating security sector governance;

19. *Calls upon* the Government of Burundi, with the support of the Peacebuilding Commission and international partners, to honour its commitments on peacebuilding priorities as defined in the Poverty Reduction Strategy Paper (PRSP-II), and *underscores the importance* that international partners, in collaboration with the Government of Burundi, and with the support of BNUB, the United Nations system in Burundi and the Peacebuilding Commission, continue to support Burundi's development efforts and ensure effective follow-up of mutual commitments taken at the Geneva Conference of Development Partners and at subsequent follow-up conferences to allow implementation of the PRSP-II and support the implementation of the new United Nations Development Assistance Framework (UNDAF);

20. *Requests* the Secretary-General to keep the Council informed on the benchmarks, the implementation of the mandate of BNUB and this resolution, and the conditions that affect such implementation, as well as on BNUB's transition to the United Nations Country Team, every 90 days, with a written interim report by the end of July 2014 and a final report by 16 January 2015, and *further requests* the Secretary-General to report every six months to the Security Council until after the 2015 elections;

21. *Decides* to remain actively seized of the matter.